

United District Court
Southern district of texas
Hidalgo & Starr Division

United States District Court
Southern District of Texas
FILED

OCT 28 2019

David J. Bradley, Clerk

Linda Moreno

Versus

City of Edinburg
415 W University Dr.
Edinburg TX 78540

Original Complaint

On 2006 I, Linda Moreno was hired by the City of Edinburg (located at 415 W University Dr. Edinburg TX 78540) as a par time worker. I was hired to work 30 hours a week a total of 1560 hours a year. The city had an obligation to enroll eligible employees who worked at least about 1000 hours a year into their cities retirement plan with TMRS. However, the city failed to live up to those obligations. They improperly denied benefits to eligible employees and also breach of fiduciary responsibility towards employees.


On October of 2015 the city held a meeting for par time workers to attend. There at the meeting we were first introduced to TMRS and were also obligated to enroll for the first time. Although enrolled on October, contributions were not submitted to TMRS until March of 2016 (delayed another 5 to 6 months).

The fact that the City of Edinburg failed to enroll me into TMRS when I was first hired was brought to their attention. However, they never offered to fully compensate me for the entire benefits I would have been entitled to under TMRS.

The City of Edinburg terminated my job on March of 2019. After working 13 to 14 years I was left without any retirement benefits from the city.

For this reason, I am proceeding with legal action against the City of Edinburg. I am seeking monetary compensation for the maximum damages I'm entitled to by law...

1. For failure to set up my retirement plan properly in a timely fashion, which has caused me my retirement benefits (income now and in the future).
2. Mental stress and inconvenience of having to go through the courts to obtain my retirement benefits that I earned after working 13 to 14 years for the City of Edinburg.
3. And all other damages awarded to plaintiff for violations they committed in not fulfilling their obligations as an employer to their employees.

A handwritten signature in black ink, appearing to read "Linda Moreno". The signature is fluid and cursive, with the first name "Linda" and last name "Moreno" clearly distinguishable.

Linda Moreno
2906 E Davis Rd
Edinburg Tx 78542